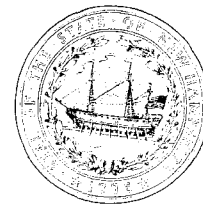


The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

March 31, 2005

LETTER OF DEFICIENCY# WSEB 05-33
Certified Mail# 7099 3400 0003 0689 4228

Ole Nielsen
PAK 2000
Route 109
Mirror Lake, NH 03853

Subject: Tuftonboro - Public Water System: PAK 2000 (EPA #2376010)

Dear Mr. Nielsen:

The records of the Department of Environmental Services (DES) show that the PAK 2000 water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more services, or 25 or more people for 60 or more days a year. As such, the PWS owner is required to submit chemical samples according to the system's established sampling schedule to the State Laboratory or a State-certified laboratory in compliance with NH Administrative Rule Env-Ws 326 and Env-Ws 327.

On January 24, 2000, DES issued Letter of Deficiency #00-07 (the "LOD") to the PAK 2000 water system due to an exceedance of the maximum contaminant level (MCL) for **Nitrate**. Sample results for Nitrate have repeatedly exceeded the MCL during the time period since the LOD was issued.

In addition to the Nitrate MCL violations, PAK 2000 water system's sample results since Q-2, 2000, have consistently exceeded the MCL for **Tetrachloroethylene**. The current enforceable MCL for **Tetrachloroethylene** is 5 ug/L. For systems on quarterly monitoring, compliance with the Tetrachloroethylene MCL is determined by calculating the system's running annual average (RAA), which is the average of all Tetrachloroethylene samples collected in the last 12 months. PAK 2000 water systems RAA for Tetrachloroethylene was determined to be 11.5 ug/L.

In order for compliance to be achieved with the previous LOD and this LOD #WSEB 05-33, DES requests the following actions:

1. **Continue** providing alternate (*i.e* bottled) water to consumers until the violations are corrected; and
2. **By April 15, 2005**, send written confirmation to DES that alternate water is continuing to be provided to your employees; and
3. **Continue** posting public notice for as long as the exceedances exist; and
4. **By May 15, 2005**, submit to DES for approval a consultant's report, which shall contain the consultant's recommendations, along with an implementation schedule to correct the MCL

violations. (DES has reviewed the Groundwater Monitoring Reports submitted by Aries Engineering, the most recent received on March 14, 2005; however these reports do not outline a course of action for bringing the water system into compliance.) A maintenance schedule must be included if treatment is proposed. **DES must approve the consultant's report/recommendations, the maintenance schedule, and the proposed implementation prior to any work being done on the system; and**

5. **By the DES-approved correction date**, correct the violations or install treatment as approved by DES. Notify DES in writing of the corrections taken; and
6. Sample in accordance with your Master Sampling Schedule which is enclosed.

In the event compliance is not achieved within the above specified time period, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The written report as requested above should be addressed as follows:

Allyson Gourley
Department of Environmental Services
Water Supply Engineering Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095

If you have any questions, please contact Allyson Gourley at (603) 271-0655, or by e-mail at agourley@des.state.nh.us

Sincerely,

 **COPY**

Sarah Pillsbury, P.G., Administrator
Water Supply Engineering Bureau

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Enc. Letter of Deficiency #WSEB 00-07
Master Sampling Schedule

cc: Gretchen Hamel, DES Legal Unit Administrator (w/o enc.) ✓
William Houser, Primary Operator
Robert Coggeshall, Owners Representative
George Holt, Aries Engineering Inc.
David Senecal, Town of Tuftonboro Health Officer
Dave Gordon, BEOH Bureau of Environmental and Occupational Health (w/o enc.)
US EPA, Region 1 (w/o enc.)